



December 15, 2020

**STATUS REPORT AND REQUEST FOR
ADDITIONAL TIME TO PRODUCE TEXT THREADS**

Via E-filing

United States District Court
Eastern District of Pennsylvania
Honorable Joshua D. Wolson
601 Market Street
Room 3809
Philadelphia, PA 19106-1726

RE: Lisa Barbounis v. The Middle East Forum
No. 2:19-cv-05030-JDW

Dear Judge Wolson:

Please allow this email to serve as Plaintiff's status report in connection with the December 4, 2020 Order which provides, inter alia, that Plaintiff must produce text threads that Defendants' counsel identified in response to the Court's prior Order (ECF 74) by December 15, 2020 (Doc 85).

Plaintiff has engaged Capsicum to assist with this part of the Order. Capsicum received the list of text threads and began work last week. On Monday, December 14, 2020, Capsicum sent Plaintiff several questions about how the list of text threads identified by Defendants was compiled. In an attempt to cut out the middleman, I arranged a telephone call between counsel for Defendants and Defendants' e-discovery experts, and Capsicum which was held at 10:30 A.M., December 15, 2020. I was informed by both Capsicum and Dave Walton that this call was productive. I was also notified that Capsicum could more easily locate the text threads if they were able to run the same set of searches that Cornerstone ran. Accordingly, I immediately provided Capsicum with the 25 search terms today. Capsicum began the search process, and has asked for an additional 24 hours to identify the text message threads identified by Defendants. Brian Halpin is my contact at Capsicum. Mr. Halpin has asked for an additional 24 hours to work on this assignment. Mr. Halpin believes he may be able to identify the 578 text threads by tomorrow. He reports that he will know for certain tomorrow and provide an update early tomorrow-afternoon.

Once Capsicum identifies the 578 text threads, counsel for Plaintiff has to review them as there are certainly images in the text threads that should never be turned over. This includes images of credit cards, banking information, and private images between husband and wife.

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Plaintiff therefore submits this status report to notify the Court that Plaintiff is on the way to producing all text threads Ordered by the Court, however, Plaintiff requests an extension to Monday, December 21, 2020 to complete this task. This will provide Capsicum with time to produce the threads to counsel for Plaintiff. It will also provide Plaintiff with time to make any redactions necessary and create a redaction log.

Plaintiff has notified counsel for Defendants, Dave Walton, about the above status and request.

Plaintiff is available should the Court have any questions or concerns about the above Status Report.

Very Truly Yours,

DEREK SMITH LAW GROUP, PLLC

BY: /s/ Seth D. Carson
Seth D. Carson, Esquire

CC: All parties through ECF

CERTIFICATE OF SERVICE

I hereby certify that on this date that I caused a true and correct copy of Plaintiff's Status Report was served via the Court's ECF filing system:

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BY: /s/ Seth D. Carson

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DATED: December 9, 2020